

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL KINCAID,)	
)	
Plaintiff,)	
)	8:04CV287
v.)	
)	ORDER AND
COUNTY OF DOUGLAS, NEBRASKA,)	NOTICE OF HEARING
et al.,)	
)	
Defendants.)	

Mary C. Wickenkamp has filed a "MOTION FOR LEAVE TO WITHDRAW" as plaintiff's counsel (#23). Because substitute counsel has not entered an appearance, the matter will be set for hearing.

IT IS ORDERED:

1. The motion to withdraw (#23) is set for evidentiary hearing on **Thursday, July 28, 2005 at 3:00 p.m.** in Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.
2. Mary C. Wickenkamp and Michael Kincaid are required to personally attend the hearing.
3. Moving counsel shall forthwith serve copies of the MOTION FOR LEAVE TO WITHDRAW and this ORDER AND NOTICE OF HEARING on Michael Kincaid at his last known address **by certified mail, return receipt requested.**
4. Moving counsel shall timely file proof of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.
5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if (a) the motion is withdrawn, or (b) plaintiff retains substitute counsel and substitute counsel enters a written appearance by **1:00 p.m. on Wednesday, July 27, 2005.** The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not satisfy the requirement of a written appearance.

DATED July 7, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**